

DANIEL G. BOGDEN  
United States Attorney  
District of Nevada

GREG ADDINGTON  
Assistant United States Attorney, Nevada Bar # 6875  
100 W. Liberty Street, Suite 600  
Reno, NV 89501  
(775) 784-5438  
Fax: (775) 784-5181

Attorneys for the United States

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,	)	IN EQUITY NO. C-125-RCJ
	)	Subproceedings: C-125-B
Plaintiff,	)	3:73-CV-00127-RCJ-WGC
	)	
WALKER RIVER PAIUTE TRIBE,	)	
	)	
Plaintiff-Intervenor,	)	<b><u>UNITED STATES' REPLY IN SUPPORT</u></b>
vs.	)	<b><u>OF ITS MOTION TO STAY BRIEFING</u></b>
	)	<b><u>DEADLINE</u></b>
WALKER RIVER IRRIGATION DISTRICT,	)	
a corporation, et al.,	)	
	)	
Defendants.	)	
_____	)	

On April, 15, 2014, the United States, by and through the United States Attorney for the District of Nevada, moved this Court to stay the May 31, 2014 deadline for the United States to respond to Motions to Dismiss filed and joined by various Defendants. ECF No. 1988 ("Motion"). The Walker River Irrigation District ("WRID"), joined by other parties, filed its opposition to the United States' Motion on April 23, 2014. ECF No. 1990 ("Opposition"). The United States submits this reply to the Opposition.

The Opposition fails to address the legal grounds adduced by the United States in support of its Motion. Instead, WRID argues that a stay is unnecessary because the Court's January 15, 2014 Order denying the United States' motion to permit the appearance of Mr. Guarino and Mr.

Negri “does not prohibit them from assisting the Nevada United States Attorneys . . . in the preparation of appropriate responses to the Motions to Dismiss,” Opposition at 2, and, thus, “does not render the United States or the Tribe unable to respond” to the defendants’ motions to dismiss. *Id.* at 3.

WRID’s Opposition misses the point. As explained more fully in the United States’ Motion for Expedited Reconsideration, incorporated by reference in the underlying Motion, Congress has granted the Attorney General sole authority to determine how litigation under his supervision will be staffed and the Court’s Order infringes upon that authority by directing that only the U.S. Attorney’s Office for the District of Nevada may represent the United States in this litigation so long as it is not incapable of handling the matter. As a result, the United States is left without counsel delegated to represent the United States in this action. Accordingly, as the United States requested in its Motion, the Court should stay the May 31, 2014 deadline for the United States’ responses pending action by the Court on the United States’ Motion for Expedited Reconsideration.

Dated: May 1, 2014

Respectfully submitted,

DANIEL G. BOGDEN  
United States Attorney, District of Nevada

/s/Greg Addington  
GREG ADDINGTON  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

It is hereby certified that pursuant to LCR 47-11 service of the foregoing **UNITED STATES' REPLY IN SUPPORT OF ITS MOTION TO STAY BRIEFING DEADLINE** was made through the court's electronic filing and notice system (CM/ECF) to all of the registered participants.

DATED this 1st day of May, 2014.

/s/ Greg Addington  
GREG ADDINGTON